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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/609,336	06/30/2000	Robert B. Barnhill JR.	6976	1994

7590 12/20/2004

Shlesinger Arkwright & Garvey L L P
3000 South Eads Street
Arlington, VA 22202

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 12/20/2004

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EXAMINER

ART UNIT	PAPER
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20041214

DATE MAILED:

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Commissioner for Patents

NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR 1.192(c)

Appellant is required to comply with provisions of 37 CFR 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

The statement of the status of the claims contained in the brief is incorrect. Claims 1-22 in the appendix are shown to include an amendment that was filed on 2/2/2004. This amendment was not entered per the Examiner's Advisory Action filed 2/20/2004. The amendment was not entered because it raised new issues that would require further consideration and search.

The Appellant requested in the Appeal Brief that the amendment filed on 2/2/2004 be entered for purpose of appeal. This request is not proper for an Appeal Brief and may be petitioned to the Director under Rule 1.181.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew s Gart whose telephone number is 703-305-5355. The examiner can normally be reached on 8:30AM to 5:00PM m-f. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MSG
Patent Examiner
December 14, 2004